



Agenda

Neighborhood Planning and Development Committee

Lee Barnes Jr., Chair  
Andrea Bough, Vice Chair  
Dan Fowler  
Brandon Ellington  
Teresa Loar

Wednesday, April 5, 2023

1:30 PM

26th Floor, Council Chamber

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

\*\*\*Public Testimony is Limited to 2 Minutes\*\*\*

Director of City Planning & Development

230279 Sponsor: Director of City Planning and Development Department

Rezoning an area of about one acre generally located on the west side of Troost Avenue between E. 45th Street on the north and Brush Creek Boulevard on the south from District B3-2 to District UR and approving a development plan to allow for the development of two mixed use buildings to include 81 residential units. (CD-CPC-2019-00055)

**Attachments:** [Docket Memo CD-CPC-2019-00055&65 Final](#)

Shields, Lucas and Bunch

230280 Sponsor(s): Councilmember Kathryn Shields, Mayor Quinton Lucas and Councilmember Eric Bunch

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

**Attachments:** [Docket Memo 230280](#)

HELD IN COMMITTEE

**Robinson and Parks-Shaw**

[230189](#) Sponsor: Councilmember Melissa Robinson

Amending the Code of Ordinances by creating a new Chapter 37 entitled "Health in All Policies," consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas.

**Attachments:** [Ordinance Docket Memo 230189 MJ](#)

**Robinson and Parks-Shaw**

[230200](#) Sponsor: Councilmember Melissa Robinson

RESOLUTION - Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

**Attachments:** [Docket memo for Resolution # 230200](#)

**City Manager's Office and Planned Industrial Expansion Authority (PIEA)**

[230213](#) Sponsor: City Manager  
Approving the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2019-00065)

**Attachments:** [Docket Memo -](#)

**City Plan Commission and Director of City Planning & Development**

[230256](#) Sponsor: Director of City Planning and Development Department

Approving the plat of Forest Ridge Villas, an addition in Jackson County, Missouri, on approximately 9.77 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, creating 1 lot and 4 tracts for the purpose of a 194 unit multi-family development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00016)

**Attachments:** [2020-00016 Docket Memo](#)

**Director of City Planning & Development**

[230259](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD to District MPD to allow for the construction of 100 residential units. (CD-CPC-2022-00022)

**Attachments:** [Docket Memo](#)  
[2023-04-05 NPD Presentation Final](#)

**Bunch**

[230267](#) Sponsor: Councilmember Eric Bunch  
Amending Chapter 88, Code of Ordinances, by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter; repealing Sections 88-110-03, 88-120-03, 88-130-04 and 88-140-03, Uses, and enacting in lieu thereof new sections of like number and subject matter; and repealing Section 88-810-1582, Short Term Rental Intermediary; in order to effectuate the transfer of the regulation of Short Term Rentals from Chapter 88 to Chapter 56 of the Code of Ordinances.

**Attachments:** [No Fact Sheet](#)

**Bunch and Lucas**

[230268](#) Sponsor(s): Councilmember Eric Bunch and Mayor Quinton Lucas

Amending Chapter 56, Code of Ordinances, by enacting new Article VIII, entitled "Short-Term Rental Registration," which would become effective May 15, 2023, and requires short-term rentals operating in the City to register with the City on an annual basis, pay an annual registration fee, certify various safety information and the identity of the natural person who will reside on the property as a long-term resident or such person who has management control and responsibility for the short-term rental, and provides density restrictions for non-resident short-term rentals, penalty provisions for both short-term rentals and their booking service providers for non-compliance with such registration requirements, and places recordkeeping requirements on both short-term rentals and their booking service providers.

**Attachments:** [No Fact Sheet](#)

**ADDITIONAL BUSINESS**

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto:public.testimony@kcmo.org). Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at [www.kcmo.gov](http://www.kcmo.gov)
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: [http://kansascity.granicus.com/ViewPublisher.php?view\\_id=2](http://kansascity.granicus.com/ViewPublisher.php?view_id=2)

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.



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**File #: 230279**

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ORDINANCE NO. 230279

Sponsor: Director of City Planning and Development Department

Rezoning an area of about one acre generally located on the west side of Troost Avenue between E. 45th Street on the north and Brush Creek Boulevard on the south from District B3-2 to District UR and approving a development plan to allow for the development of two mixed use buildings to include 81 residential units. (CD-CPC-2019-00055)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1376 rezoning an area of about 1 acre generally located on the west side of Troost Avenue between E. 45th Street on the north and Brush Creek Boulevard on the south from District B3-2 (Community Business) to District UR (Urban Redevelopment District) to allow for the development of two mixed use buildings to include 81 residential units, said section to read as follows:

Section 88-20A-1376. That an area legally described as:

Lots 1 through 3 and Lots 6 through 9, Block 1, lying south of East 45th Street as now established, all being part of Lansdowne, a subdivision in the City of Kansas City, in the Southeast Quarter of the Northeast Quarter of Section 29, Township 49, Range 33, Jackson County, Missouri containing 26,632 square feet or 0.61 acres, more or less.

is hereby rezoned from District B3-2 (Community Business) to District UR (Urban Redevelopment District) all as shown outlined on a map marked Section 88-20A-1376, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. The developer shall secure approval of a final development plan from the Development Management Division staff prior to building permit.

2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. Wall fire rating and openings between existing building and phase one building shall be regulated per 602 and 705.8 of IBC 2012.
4. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
5. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
6. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
7. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
8. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
9. The developer shall grant a BMP easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits. This condition applies for situations where a detention facility serves a single lot.
10. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site

disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

11. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting
12. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, by making application under said code for a minor subdivision and submitting and recording a lot consolidation plat or replatting the property in accordance therewith.
13. The developer shall enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat. This condition applies when a detention facility takes water from more than one lot and is required in that situation to be platted in a separate tract.
14. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way of Troost Avenue and E. 45th Street.
15. The developer shall pay money in lieu of dedication of parkland in the amount of the formula or dedicate acreage of private open space for parkland purpose as identified in 88-408. Money in lieu of parkland for 2023 shall be based on the following formula: (# of units) X (2.0 persons per unit) X (0.006 acres per person) = acres of parkland required X 2023 parkland fee per acre (\$64,224.18)) = Fee. Money in lieu shall be paid prior to a certificate of occupancy.
16. The developer shall follow the Kansas City, Missouri rules and regulations for domestic water and fire service lines.
17. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of new water service permits. Depending on adequacy of the existing water mains systems, making other improvements as may be required.
18. A deviation from the 1,000 feet locational requirement for Rapid Transit Stop exemption per Section 88-420-04-J, in the amount of 7 feet is requested with this plan. Phase I is located approximately 700 feet from the RTS located near the

northwest corner of Cleaver II Boulevard and Troost Avenue, and Phase II is located approximately 1,007 feet from RTS.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment and development plan hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Joseph Rexwinkle, AICP  
Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

A request to approve a rezoning from B3-2 (Community Business dash 2) to UR (Urban Redevelopment) for the development of two mixed use buildings to include 100 residential units on about one acre generally located on the west side of Troost Avenue between East 45th Street on the north and Brush Creek Boulevard to the south. (CD-CPC-2019-00055 & CD-CPC-2019-00065)

### Discussion

See CPC Staff Report

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
NA
3. How does the legislation affect the current fiscal year?  
NA
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
NA
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
NA



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

## Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
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## Prior Legislation

See CPC Staff Report

## Service Level Impacts

See CPC Staff Report



# City of Kansas City, Missouri

## Docket Memo

### Other Impacts

1. What will be the potential health impacts to any affected groups?

This is a zoning ordinance and has not been evaluated against this subject matter.

2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning ordinance and has not been evaluated against this subject matter.

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



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**File #: 230280**

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ORDINANCE NO. 230280

Sponsor(s): Councilmember Kathryn Shields, Mayor Quinton Lucas and Councilmember Eric Bunch

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan for a commercial development in District B4-5 (Heavy Business/Commercial) on about 0.4 acres generally located at 604 W. 47th Street, and more specifically described as follows:

All of the west one hundred and twenty (120) feet of the east one hundred and forty-six (146) feet of lot twenty-six (26), Home Place, a subdivision in the City of Kansas City Jackson County, Missouri, lying north of the north line of 47th Street, as said street is now established in Kansas City, Missouri.

is hereby approved, subject to the following conditions:

1. A deviation to the maximum height of a structure within the Plaza Bowl Overlay District pursuant to Committee Substitute for Ordinance No. 190100 is hereby granted in the following amounts:
  - a. Southeast property corner elevation 857.00 resulting height limit 902.00 with top of railing at elevation 899.33. (2'-8" below limit)
  - b. Northeast property corner elevation 868.00 resulting in height limit of 913.00 with top of roof structure at 911.00. (2'-0" below limit; parapet 1'-0" above limit)
  - c. Southwest property corner elevation 860.75 resulting in height limit of 905.75 with top of railing at elevation 899.33. (6'-5" below limit).
  - d. Northwest property corner at elevation 863.75 resulting in height limit of 908.75 with top of roof structure at 911.00. (2'-3" above limit; parapet 5'-3" above limit)

- e. Decorative architectural tower element top elevation of 928.75. (Varies not to exceed 27 feet above limit).
  - f. Overall building height is approved to exceed maximum heights limits in varying amounts so as to approve the height of the overall building as shown on the development plan.
2. Total required parking will be satisfied with an approved Alternative Parking Compliance Plan or variance request from the Board of Zoning Adjustment.
  3. Administrative adjustments for alternative compliance are hereby approved pursuant to Section 88-425-13 for 8 street trees to be sited on the entire property.
  4. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the disturbed area to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits.
  5. The developer shall submit a street plan for approval and permitting by the Land Development Division prior to beginning construction in the public right of way and construct ADA compliant ramps at all required locations where new private drives are being added or where existing sidewalks are modified or repaired.
  6. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
  7. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
  8. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
  9. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2). Fire hydrant distribution shall follow IFC-2018 Table C102 and hydrants shall be in place before building on structures begin.
  10. The developer shall submit a streetscape plan with street tree planting plan per Section 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.

11. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6" branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
12. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
13. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Approving a development plan for a commercial development in District B4-5 on about 0.4 acres generally located at 604 W. 47th Street. (CD-CPC-2021-00193)

### Discussion

This legislation does not have a fiscal impact.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
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### Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

1. What will be the potential health impacts to any affected groups?

# City of Kansas City, Missouri



## Docket Memo

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



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**File #: 230189**

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ORDINANCE NO. 230189

Sponsor: Councilmember Melissa Robinson

Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas.

WHEREAS, the health and well-being of the residents of City of Kansas City is critical for a prosperous and sustainable City.

WHEREAS, the social determinants of health affect chronic disease rates, mental illness, injuries caused by accidents and violence, and also influence the adoption of healthy lifestyles by making it more or less difficult for individuals to choose behaviors that either promote or diminish health; and

WHEREAS, policies implemented by City departments outside of the traditional health sector significantly affect the social determinants of health, including policies related to food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development; and

WHEREAS, interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery; and

WHEREAS, addressing the social determinants of health can lead to reduced health care costs; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, that recognizes that all departments have a role to play in improving health outcomes and reducing health inequities, said sections to read as follows:

**Sec. 37-1. Title.**

This Chapter shall be known as the “Health in All Policies,” and will be referred to herein as “this chapter.”

**Sec. 37-2. Definitions.**

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section:

(a) “*Health equity*” means the attainment of the highest level of health for all people. Achieving health equity requires valuing everyone equally with focused and ongoing societal efforts to address avoidable inequalities, historical and contemporary injustices, and the elimination of health and healthcare disparities.

(b) “*Health in All Policies*” means a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across sectors and policy areas.

(c) “*Health inequities*” means differences in health associated with individual or group specific attributes (e.g. income, education, or race/ethnicity) that are connected to social disadvantage, historical, and contemporary injustices, and which can be minimized through changes to policy, programs, and practices.

(d) “*Social determinants of health*” means those conditions in the environments in which people are born, live, learn, work, play, worship, and age.

**Sec. 37-3. Purpose.**

In order to eliminate health inequities and attain health equity, it shall be the policy of the City to apply a Health in All Policies approach and health equity practices to the City’s decision-making, including policy development and implementation, budgeting, and delivery of services.

**Sec. 37-4. Health Framework.**

The City shall use the following framework to measure health equity and improve the health of our community:

(a) The City of Kansas City meets the basic health needs of residents as measured by the availability of the following:

- (1) Affordable, accessible, and nutritious foods;
- (2) Safe, drinkable water;
- (3) Affordable, safe, and healthy housing;
- (4) Access to affordable and safe opportunities for physical activity; and

- (5) Affordable, accessible, and high-quality health care, including mental health and substance abuse prevention and treatment.

(b) The City of Kansas City residents live in a healthy, sustainable and equitable environment as measured by the availability of the following:

- (1) Clean air, soil, and water;
- (2) Parks and open spaces, including agricultural lands;
- (3) Affordable and sustainable energy sources;
- (4) Accessible-built environments that promote health and safety through a mix of land uses;
- (5) Active transportation enabling safe travel for people walking, biking, driving, and taking transit;
- (6) Safe and socially cohesive neighborhoods;
- (7) Job opportunities for all residents;
- (8) A thriving economy; and
- (9) Opportunities for high-quality and accessible early childhood education, primary and secondary education, and higher education.

**Sec. 37-5. Health in All Policies Interdepartmental Task Force.**

(a) There is hereby established a Health in All Policies Interdepartmental Task Force for the implementation of this chapter.

(b) The Kansas City Health Department shall lead the Task Force. All City department offices and officials shall fully cooperate with the Health Department and members of the Task Force in meeting the provisions and purposes of this chapter.

(c) *Task Force Composition.* The Task Force shall be composed of the directors or their designees of the following departments: City Manager's Office, Civil Rights and Equal Opportunity, Finance, Housing and Community Development, General Services, Parks and Recreation, Planning, Public Works, Human Resources, Neighborhoods, Aviation, Water Services, Auditor's Office, Convention and Entertainment Facilities, Law, Municipal Court and Fire. The City shall encourage and welcome the Kansas City, Missouri Police Department to participate on the Task Force.

(d) The Task Force is authorized to establish subcommittees of stakeholders as needed to assist in developing the Strategic Plan.

(e) *Task Force Duties.*

- (1) The Task Force shall engage the community in carrying out its duties by systematically gathering broad input from stakeholders, including community members, the Health Commission, policy experts, the health care community, the school districts, community-based organizations, members of the private sector, and philanthropists to identify and assist the City in addressing areas of health inequities, support the Community Health Improvement Plan and ensure that multiple perspectives are understood, considered, and reflected in decisions to achieve health equity.
- (2) *Strategic Plan.* The Task Force shall Develop a Strategic Plan to integrate a Health in All Policies approach into City decisions and operations and provide the Strategic Plan to the City Council by December 1, 2023. Once the Task Force has developed the Strategic Plan, they shall lead the City's implementation of the Strategic Plan. The Strategic Plan shall do the following:
  - (a) incorporate Community Health Improvement Plan baseline data, demographic, and environmental data relevant to the City's health framework, and identify existing health inequities;
  - (b) identify health equity indicators and targets for each department to measure progress;
  - (c) identify the analytical tools needed to assist departments in identifying the health impacts of policies;
  - (d) identify barriers to and opportunities for interdepartmental cooperation;
  - (e) identify the need for and sources of funding to implement the Health in All Policies approach;
  - (f) recommend changes to laws, regulations, policies, or procedures to eliminate barriers to interdepartmental cooperation and implement a Health in All Policies approach; and
  - (g) recommend changes to training for City officials and employees to integrate a Health in All Policies approach into City's decision-making, operations, financial allocations, and delivery of services.
- (3) The Task Force shall oversee the development of analytical tools needed to collect data and analyze the health impacts of policies.

- (4) The Task Force shall oversee training for City officials and employees.
- (f) *Bi-Annual Report.*
  - (1) The Task Force shall prepare and provide to the City Council a bi-annual report on: 1) the status of health and health equity in City; 2) progress in implementing the Strategic Plan; 3) any changes to the Strategic Plan; and 4) any new recommendations for changes to laws, regulations, policies, or procedures, to ensure that this chapter is fully implemented and that departments consider short-term and long-term economic, social, economic, or other consequences when making decisions.
  - (2) Each department or office identified in the Strategic Plan shall report to the Task Force on a bi-annual basis the status of health equity indicators and its progress in meeting its health equity benchmarks.
  - (3) The Task Force shall ensure ongoing community engagement in developing the bi-annual report

..end

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Approved as to form:

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Joseph A. Guarino  
Senior Associate City Attorney



# City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

## Executive Summary

Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas.

## Discussion

Click or tap here to provide [more detailed information and analysis](#) on this topic.

## Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

# City of Kansas City, Missouri



## Docket Memo

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

1. What will be the potential health impacts to any affected groups?

# City of Kansas City, Missouri



## Docket Memo

Click or tap here to enter text.

2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

3. How does this legislation contribute to a sustainable Kansas City?

Click or tap here to enter text.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



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**File #: 230200**

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RESOLUTION NO. 230200

Sponsor: Councilmember Melissa Robinson

RESOLUTION - Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

WHEREAS, Doulas provide physical and emotional support during pregnancy and childbirth, which helps lower the risk of complications during childbirth for the parent and the infant; and

WHEREAS, Studies show that doulas can reduce preterm births and low birthweights, which are the leading causes of infant mortality and rates of cesarean birth and medical pain management also improve with doula support; and

WHEREAS, the plan will aim to train doulas and reach a defined number of families annually; and

WHEREAS, families who enroll in the program should receive doula support both at home, in community settings and/or in the clinical setting, with three prenatal visits, support during labor and delivery, and four postpartum visits; and

WHEREAS, clients who give birth at home should receive the same number of visits. The program should include screening and referrals for family needs and stressors, such as food insecurity, transportation barrier, housing insecurity and other social determinates of health; and

WHEREAS, the model of care should be consistent across the city, and uniform data should be collected for a rigorous evaluation of the doula services provided through this initiative.

The Citywide Doula Initiative aims to focus services in three main categories:

- Providing equitable care — Doulas should not be limited to but target eligible residents where the greatest episodes of infant and maternal mortality exist as identified by the Health Commission and the Fetal Infant Mortality Review Board. Priority will be given to people who are income-eligible for Medicaid and/or are giving birth for the first time (or the first time in over 10 years), as well as those who have had a previous traumatic birth experience, have no other labor support, live in a shelter, are in foster care, or have a high-risk medical condition.

- Expanding the doula workforce — To increase capacity, The Kansas City Health Department is aiming to train a defined number of community members as doulas annually and provide additional opportunities for professional development. The Health Department will also help uncertified doulas become certified; the report should identify a target goal for how many uncertified doulas are expected to take advantage of this opportunity.
- Creating partnerships with hospitals and Federally Qualified Health Centers — The initiative will strengthen Health Department’s work with hospitals, to create doula-friendly hospital policies and practices and increases provider referrals to doula services. Staff will also collaborate with community-based, governmental, and health care partners to advocate for system-level change; and

WHEREAS, the initiative will integrate community-based doula organizations that serve clients in at-risk neighborhoods around the city — bringing additional funding to expand their services, build the capacity of their doula workforces, and partner with hospitals; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

..end

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# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Manager's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

### Discussion

There is no direct fiscal impact.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No



# City of Kansas City, Missouri

## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

N/A

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

N/A

### Service Level Impacts

N/A

### Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A



# City of Kansas City, Missouri

## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



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**File #: 230213**

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ORDINANCE NO. 230213

Sponsor: City Manager

Approving the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC-2019-00065)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (“Authority”) did prepare or cause to be prepared the 45th and Troost PIEA General Development Plan and recommended that the Council approve the finding of blight and approve the General Development Plan for the area; and

WHEREAS, the City Plan Commission has reviewed and recommended approval of the finding of blight of the 45th and Troost PIEA General Development Plan on September 21, 2021, as evidenced by its disposition of the case and its written recommendations submitted to the City; and

WHEREAS, Section 100.400, RSMo, authorizes the Council to make a finding that an area is a blighted area and approve a general development plan for such area if the Council finds that the plan is feasible and in conformity with the general plan for the development of the community as a whole; and

WHEREAS, on October 6, 2016, the City did pass Second Committee Substitute for Ordinance No. 160383, as amended, which enacted guidelines on the City’s use of abated and exempted real property taxes in funding economic development projects; and

WHEREAS, Section 9 of Ordinance No. 160383, as amended, as modified by Second Committee Substitute for Ordinance 200497, as amended, provides that notwithstanding the guidelines set forth therein, the Council retains its discretion to authorize the capture and redirection, or abatement or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law; and

WHEREAS, City Code §3-622(d), provides prevailing wage requirements for certain construction projects and development plans, and further provides for the waiver of said requirements, giving particular consideration to the enumerated extraordinary qualifications.; NOW, THEREFORE,

**BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:**

Section 1. That the Council declares the area of approximately 1.08 acres generally located the southwest corner of 45th and Troost Avenue, and more specifically described by metes and bounds on Exhibit A attached hereto and incorporated herein by reference, to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of insanitary and unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life and property by fire and other causes in such planning area and as a result of the predominance of those conditions the planning area in its present condition and use constitutes an economic and social liability and a serious menace to the public health, safety, morals, and welfare.

Section 2. That the 45th and Troost PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan is attached to this ordinance and is made a part hereof.

Section 3. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

Section 4. That the General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the plan area to the extent and in the manner as provided for in said General Development Plan, and subject to the execution of a development agreement with the Planned Industrial Expansion Authority of Kansas City, Missouri, and the developer.

Section 6. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, as modified by Section E of Second Committee Substitute for Ordinance 200497, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by Section 100.570, RSMo, with respect to any project in the plan area providing affordable housing or housing at deeper levels of affordability, as defined in Code §74-11.

Section 7. That pursuant to and in accordance with City Code §3-622(d), the City Council recognizes that the projects in the 45th and Troost PIEA General Development Plan that provide affordable housing or housing at deeper levels of affordability, as defined in Code §74-11, are eligible for the waiver of prevailing wage requirements and confirms the PIEA's authority to issue such a waiver for qualifying projects.  
..end

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I hereby certify that as required by Chapter 100, RSMo, as amended, all public notices have been given and public hearings held, as required by law.

Approved as to form:

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Emalea Black  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution # 230213

Submitted Department/Preparer:

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

The legislation approves the 45th and Troost PIEA General Development Plan on approximately 1.08 acres generally located at the southwest corner of 45th and Troost Avenue, and declaring said area to be blighted and in need of redevelopment and rehabilitation.

### Discussion

The site is within the Midtown/ Plaza Area Plan which recommends Mixed Use Neighborhood land use for the subject property. The proposed development plan is in conformance with the Area Plan land use recommendation. This incentive plan also has an accompanying UR development plan as required by the zoning and development code. The property owners may seek a tax abatement which provides for abatement for a period of time. Abatement for projects within the redevelopment area shall be subject to the provisions of Second Committee Substitute for Ordinance No. 160383, As Amended, and as may be further amended from time to time, which was adopted by the City Council on or about October 6, 2016. The real estate shall not receive greater than a seventy-five percent (70%) abatement of real property taxes for the first ten years and thirty-seven and one-half percent (30%) abatement for the following fifteen years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the 45th and Troost General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. The Planning Area is also included within the Brush Creek Corridor Tax Increment Financing Plan and the Troost Paseo Urban Renewal Area. The PIEA has the statutory right to exercise the power of eminent domain to acquire any real property it deems necessary for a project or for its purposes under this law upon the adoption by the PIEA of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. The PIEA does not anticipate exercising the power of eminent domain within the Planning Area, except possibly to clear title, and will limit the use of eminent domain to five (5) years from the approval of the Plan. Should eminent domain be necessary to acquire real property in the future, the Plan shall be amended and such amendment shall be considered and approved by the PIEA and the City Council. The PIEA shall observe its approved standard procedures for consideration of such amendments, including notices to owners(s) and developer(s). Any use of eminent domain shall satisfy the requirements of Chapter 523, RSMo. City Staff does not comment on whether the site is blighted or not, however a blight analysis prepared by Belke Appraisal & Consulting Services, Inc. determines that the plan area is blighted. The Board of Commissioners of the Planned Industrial Expansion Authority (PIEA) of Kansas City, Missouri approved the Blight Study and General Development Plan for the 45th and Troost PIEA Redevelopment Area. Further, the Board recommended to the City Council that the 45th and Troost PIEA Area be designated by ordinance as blighted, insanitary or an undeveloped



# City of Kansas City, Missouri

## Docket Memo

industrial area, as defined by RSMo sections 100.310(2), 100.310(11) and 100.310(18), and that the General Development Plan for the 45th and Troost PIEA Area be approved.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

[Click or tap here to provide fund name\(s\).](#)

3. How does the legislation affect the current fiscal year?

No fiscal impact in the current fiscal year.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

A future fiscal impact will arise with approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) and Chapter 353 Tax Abatement treatment. Such tax abatement on real property will consist of the following: 1) 100% abatement for 10 years on amounts over the tax due on land for the year prior to the property being acquired by the redevelopment corporation; 2) The property is then eligible for an additional 50% abatement on the value of land and any improvements for the next 15 years. The tax abatement for this plan shall be consistent with the Second Committee Substitute for Ordinance No. 200497, which capped the abatement at seventy percent (70%) of real property taxes for the first ten years and thirty percent (30%) for the following 5 years. However this limitation may be waived with Council approval to allow for abatements that exceed this threshold for certain qualifying projects. It is anticipated that projects in the 45th and Troost General Development Plan area will qualify for the waiver with the satisfaction of providing affordable housing or housing at deeper levels of affordability, as defined in Code Section 74-11. Each project will undergo a financial analysis prior to incentives being awarded. PIEA approves incentives through its board, however other elements of the projects (design standards, etc.) will require council approval.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

The legislation itself does not generate revenue, leverage outside funding, or deliver a return on investment. In the future with the approval of redevelopment proposals by the Planned Industrial Expansion Authority (PIEA) tax revenue will be generated dependent on the terms of a development agreement between the PIEA and the developer. That said, the legislation positions the blighted and under-utilized propoerty to be eligible for a return on investment, and at the very



# City of Kansas City, Missouri

## Docket Memo

least could generate 50%-70% property tax revenues beginning in a project's eleventh year and all property tax revenues at the beginning of a project's twenty-fifth year. A project would also generate new sales tax, earnings tax, utility tax, and personal property tax revenues upon completion of the development, in addition to affordable housing and the elimination of blight that has a negative impact on surrounding property values. Potential redevelopment projects at the least would likely be financed with a combination of private equity, debt, and perhaps other outside funding sources not yet identified. A return on investment will only occur upon the implementation of a future redevelopment proposal and will be dependent on the terms of the development agreement between the PIEA and the developer and the timing of implementation.

### Budget Review

(Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan Impact

HOUSING AND HEALTHY COMMUNITIES - 1. Increase affordable housing supply to meet demands of a diverse population. 2. Broaden the capacity and innovative use of funding sources for affordable housing - b) Align developer incentives with affordable housing production and commitment; c) Utilize Brownfield assistance programs to facilitate and support development of new infill affordable housing in established neighborhoods or on repurposed property. 3. Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures. INFRASTRUCTURE AND ACCESSIBILITY - 1. Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system - d) Utilize the City's Transit Oriented Development Policy to encourage higher density for new housing developments within close proximity of frequent public transit service.

### Prior Legislation

Ordinance Nos. 160383 and 200497 as relates to the use of development incentives and Ordinance No. 220700 as relates to the City's Affordable Housing Set Aside.

# City of Kansas City, Missouri

## Docket Memo

### Service Level Impacts

This legislation will have no impact on service levels. Subsequent redevelopment within the plan area will have impacts on traffic and possibly other services that will not exceed levels prescribed by the City.

### Other Impacts

1. What will be the potential health impacts to any affected groups?

This legislation itself has no health impacts but will allow for the elimination of blight and environmental liabilities that will improve the quality of life for all in the immediate vicinity of the planning area. The implementation of future redevelopment proposals will abide by all local, state and federal laws and in doing so will minimize and/or eliminate any negative health impacts as required, including the remediation of property contamination with the assistance of the City's Brownfields Office that is already underway.

2. How have those groups been engaged and involved in the development of this ordinance?

Not applicable.

3. Is this legislation good for the children?

Yes.

4. How does this legislation contribute to a sustainable Kansas City?

The legislation itself allows for, but does not guarantee, the potential redevelopment of currently blighted properties and subsequent provision of dense affordable housing in a transit corridor that will utilize green design, materials and equipment.



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**File #:** 230256

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ORDINANCE NO. 230256

Sponsor: Director of City Planning and Development Department

Approving the plat of Forest Ridge Villas, an addition in Jackson County, Missouri, on approximately 9.77 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, creating 1 lot and 4 tracts for the purpose of a 194 unit multi-family development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00016)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Forest Ridge Villas, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

Section 2. That the plat granting and reserving unto Kansas City an easement and license or right to locate, construct, operate and maintain facilities including, but not limited to, water, gas, sewerage, telephone, cable TV, surface drainage, underground conduits, pad mounted transformers, service pedestals, any and all of them upon, over, under and along the strips of land outlined and designated on the plat by the words utility easement or U/E be and the same are

hereby accepted and where other easements are outlined and designated on the plat for a particular purpose, be and the same are hereby accepted for the purpose as therein set out.

Section 3. That the grades of the streets and other public ways set out on the plat, herein accepted are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 4. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 5. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 6. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on January 5, 2021.

..end

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Approved as to legality:

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Eluard Alegre  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Final Plat of Forest Ridge Villas

### Discussion

A Final Plat in Kansas City, Jackson County Missouri

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

Private Development

3. How does the legislation affect the current fiscal year?

NA

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

2. This fund has a structural imbalance.  Yes  No



# City of Kansas City, Missouri

## Docket Memo

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Select (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- 
- 
- 
- 
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- 

### Prior Legislation

CONTROLLING CASE CD-CPC-2019-00048 & 00049 - Ordinance No. 190483 passed by City Council on June 27, 2019, rezoned about 10 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, from Districts R-80 and R-2.5 to District R-1.5, and approving a development plan and preliminary plat to allow for a 194-unit residential development.

RELATED RELEVANT CASES Case No. 5259-P – Ordinance No. 39176 passed by City Council on February 26, 1971, rezoned about 11.5 acres generally located at the northeast corner of E. 135th Street and Charlotte Street from District RA (Agricultural) to District R-3 (low density/ low apartments).

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts



# City of Kansas City, Missouri

## Docket Memo

1. What will be the potential health impacts to any affected groups?

NA

2. How have those groups been engaged and involved in the development of this ordinance?

NA

3. How does this legislation contribute to a sustainable Kansas City?

This project consists of public and private improvements for a multifamily residential development on a previously undeveloped site to create 194 multi-family units. The proposed development will significantly increase the area of impervious surfaces. The peak rate of storm water discharge and total runoff volume will be maintained after development. The development will improve the aesthetics of the site and increase the tax base for the City.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

NA

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

NA



**File #: 230259**

ORDINANCE NO. 230259

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD to District MPD to allow for the construction of 100 residential units. (CD-CPC-2022-00022)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1378 rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD (Master Planned Development) to District MPD (Master Planned Development) said section to read as follows and approving a major amendment to the approved MPD (Master Planned Development) to allow for the construction of 100 residential units in district MPD on about 2.5 acres generally located at Warwick Boulevard and E. 38th Street, and more specifically described as follows:

Section 80-20A-1378. That an area legally described as:

All of Lot 1, Westport Plat, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby rezoned from District MPD (Master Planned Development) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1378, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.

3. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
6. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit.
7. The developer shall coordinate with the KCATA to resolve pedestrian level lighting and ADA compliant bus stop on Warwick Boulevard prior to approval of an MPD final plan.
8. Deviations to the boulevard and parkway standards are hereby granted to allow a 105-foot setback from Warwick Boulevard.
9. Deviations to the boulevard and parkway standards are hereby granted to allow for 0-foot setback from the Gillham Road right-of-way.
10. Deviations to the boulevard and parkway standards are hereby granted to allow for seven additional parking stalls to be constructed within the existing vehicular use area on the northwest corner of the project area.
11. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
12. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach

entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

13. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to any certificate of occupancy.
14. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
16. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 §507.1)
18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
19. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)

20. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
21. A required Fire Department access road shall be an all-weather surface (IFC-2012: § 503.2.3) and Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 §7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
22. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
23. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
24. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks & Recreation Department standards.
25. The developer shall install and/or replace any dead or missing street trees along roadways adjacent to this project.
26. The developer shall pay money-in-lieu of parkland dedication in the amount of \$202.89 per unit per approved ordinance #150834 and Case No. 14560-MPD.

27. The developer shall comply with the parkway and boulevard standards of 88-323 unless certain waivers granted by the City Council.
28. The developer shall continue to work with Parks and City Planning staff to enhance the pedestrian experience at the northwest corner of the site. Enhancements to the pedestrian experience at this location shall be incorporated as part of the final MPD plan.
29. The developer shall work with Parks and City Planning staff to enhance the retaining wall and railing along Warwick Boulevard as part of the final MPD plan submission.
30. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy.

A copy of said MPD development plan and is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

..end

---

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

---

Secretary, City Plan Commission

Approved as to form:

---

Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

A request to approve a major amendment to the approved MPD (Master Planned Development District) to allow for the construction of 100 residential units in district MPD on about 2.5 acres generally located at Warwick Boulevard and E. 38th Street. (CD-CPC-2022-00022)

### Discussion

See CPC staff report

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC staff report

### Service Level Impacts

See CPC staff report

### Other Impacts

1. What will be the potential health impacts to any affected groups?

This is a zoning ordinance and has not been evaluated against this subject matter.



# City of Kansas City, Missouri

## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning ordinance and has not been evaluated against this subject matter.

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



# MPD Amendment - The Village at Westport Commons

Neighborhood Planning and Development Committee Presentation

04.05.2023

- Overview
  - Ordinance #230259
  - Part of a Multi-Phased Redevelopment
  - Amends prior 2015 MPD
  - CPC Approved last month
- Project Details
  - Design Elements
- Project Perspective
  - Why Now?
  - Why Housing?
  - What Happens to the Current Tenant?
  - Impact of Prior KCPS Agreements
- Questions

# Agenda



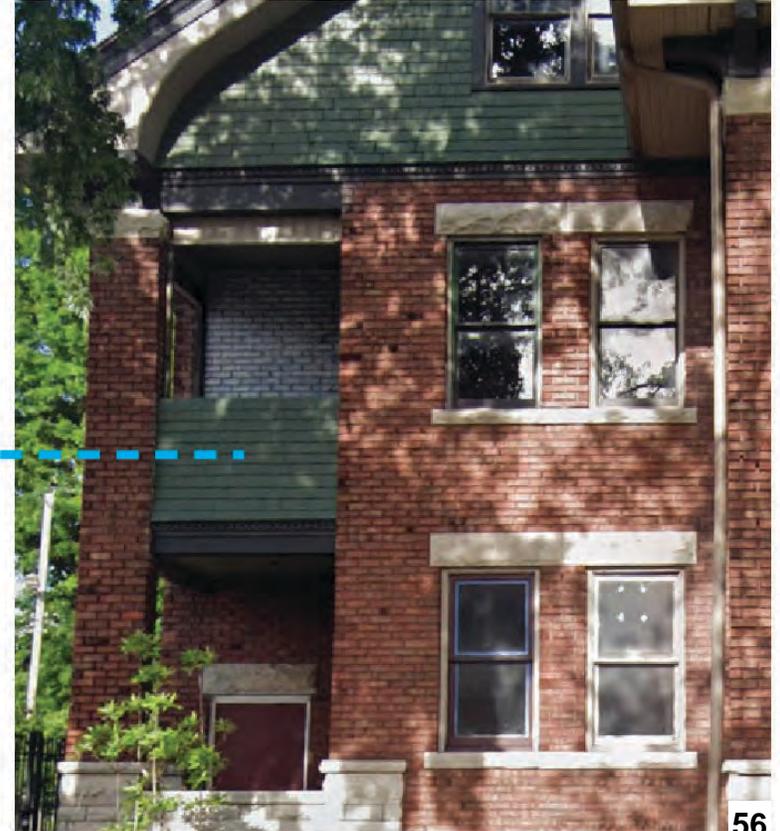
# Project Details





#### **HISTORIC REFERENCE**

*A variety of buildings within the neighborhood were examined and considered during the designing process. Materials, massing, and composition were influenced by the local vernacular without directly copying individual examples. The design seeks to compliment historic building patterns while providing an appropriate modern design.*





#### **HISTORIC REFERENCE- HORIZONTAL LAYERING**

*The new apartments follow the pattern of horizontal layering expressed in nearby historic buildings without directly copying their designs.*

*The building starts with a masonry base separated from the layer above with a stringcourse. As with many other nearby buildings, above the masonry base is a new material.*

*The mid-level contains most of the fenestration and expressive elements of the facade. Unlike the base and cap, this portion has many vertical breaks and reads more as a vertical element than horizontal.*

*The parapet serves as the visual end-piece for the varied middle level below. Its long horizontal run ties the distinct vertical elements back into one cohesive unit.*



#### **HISTORIC REFERENCE- VERTICAL MASSING**

*The box-shaped structure is separated into balanced vertical pieces to break down the size of the building into smaller distinct elements within the overall composition. This achieved by varying the depth of the facade or changes in materials.*

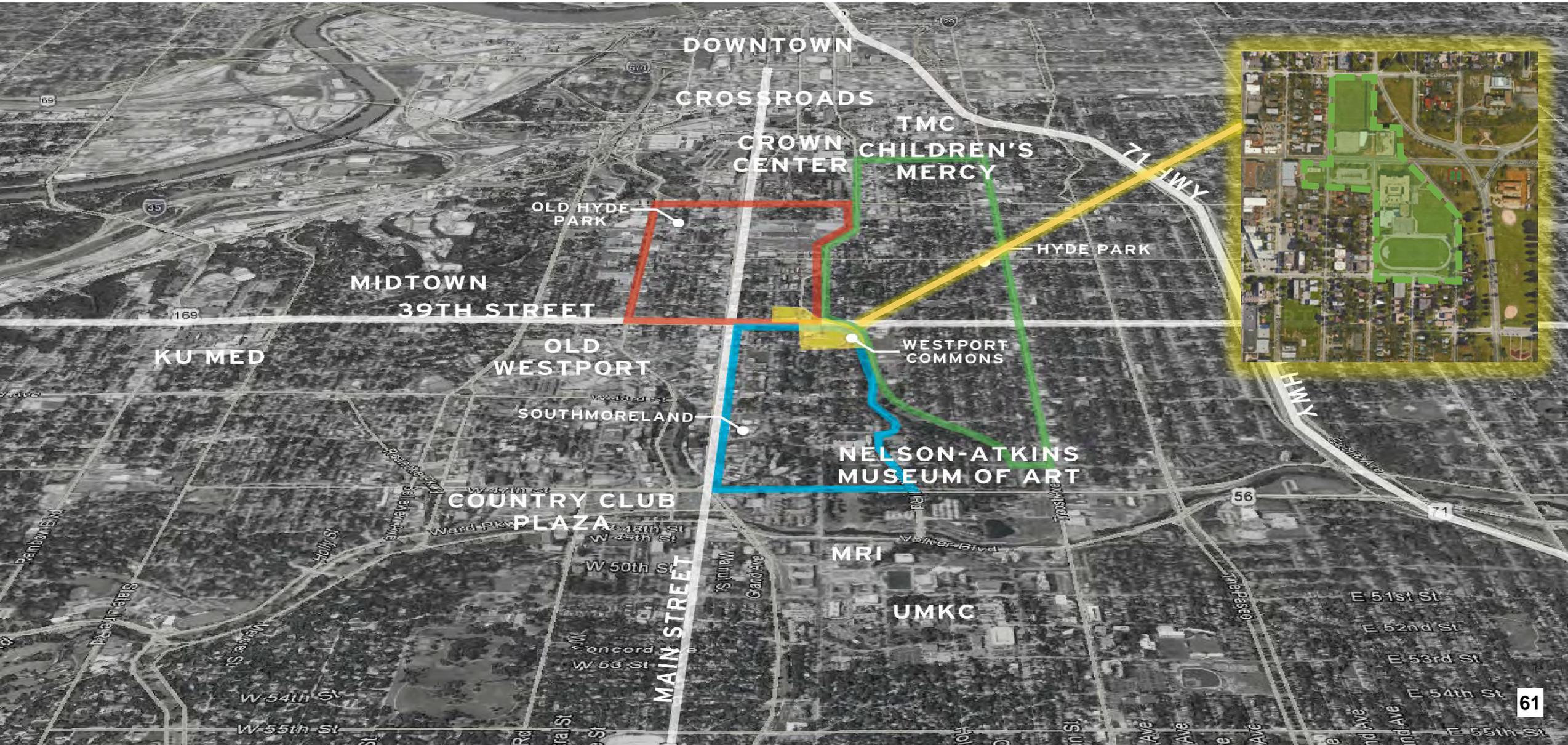
**HISTORIC ELEMENTS- WINDOW AND COLUMN SPACING**

*The new apartments refer back to the window spacing and composition of the Jr High. There, the space between the windows is arranged so that the vertical elements stand slightly proud of the windows and rest of the wall, creating a pilaster column effect. This effect occurs on the apartments but is instead created by a material color change.*



# Project Perspective

From Westport Commons to . . .

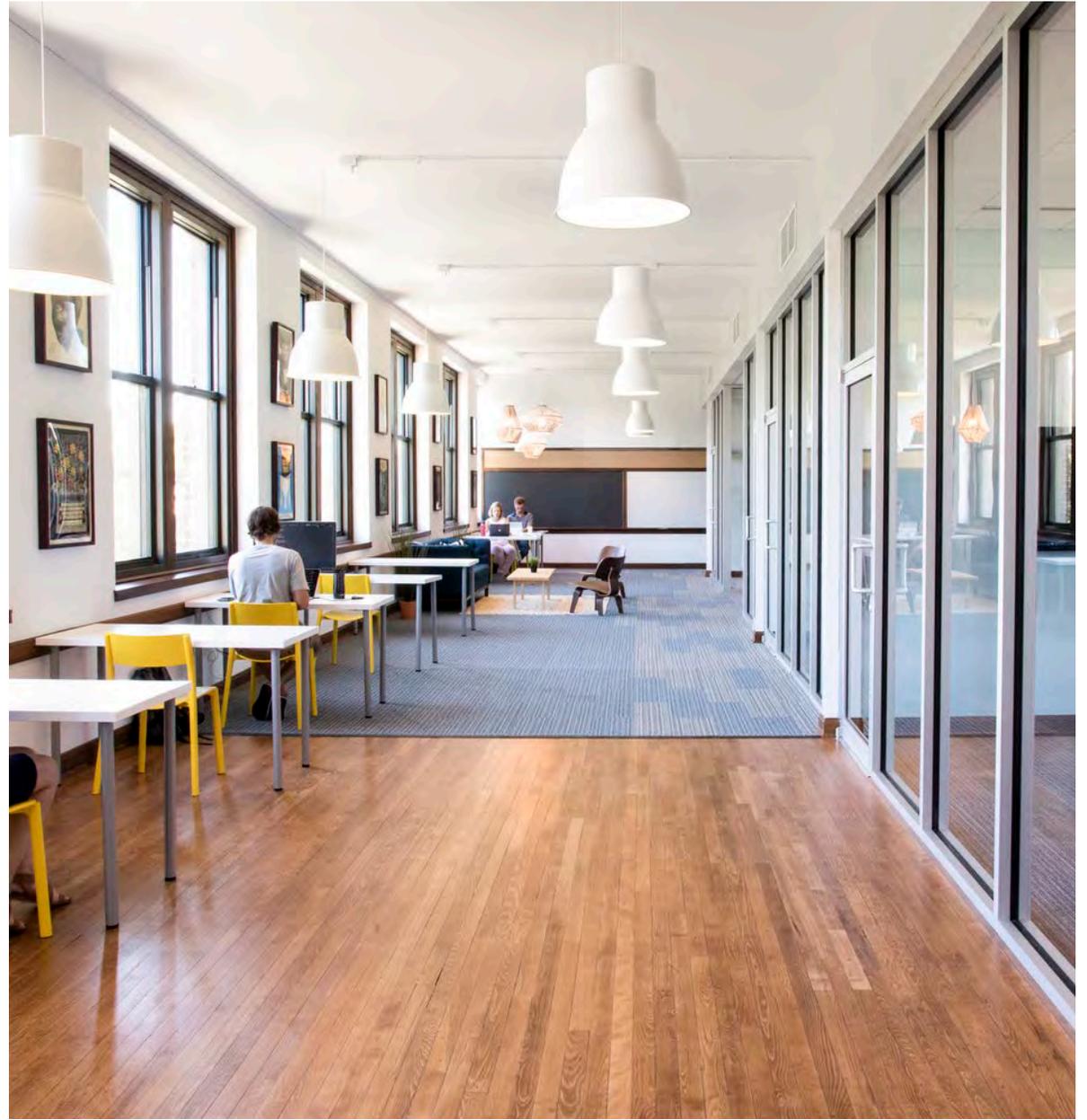






# Plexpod Westport at Park 39

- **2015** Construction Began
- **2017** Placed in Service
- **TODAY** +160,000 GSF flex-space facility; one of the three largest coworking facilities worldwide at its opening
- **\$30M** CRE Investment





# The Residences at Park 39

- **2022** Construction Began
- **2023** Placed in Service
- **At Completion** 138 apartments and 20,000 SF commercial space
- **\$52M** CRE Investment





# Why Housing?







SANBORN MAP, KANSAS CITY, VOL. 4, 1909-1950, PAGE P502



ENVIRONMENTAL DATA RESOURCES, AERIAL PHOTOGRAPH, 1971

What Happens to the Current Tenant  
Cultivate Kansas City?

# CULTIVATE KC IS BEING RELOCATED

## Westport Commons Farm Sublease

- Effective as of January 1, 2018
- The agreement includes a right of relocation of the tenant (Section 6.7) under which Cultivate KC **agrees to relocate** if the landlord determines to utilize the Farm area for other purposes.
- The agreement specifies various criteria that a relocation space must have.
- The agreement also obligates the landlord to pay for the cost of the relocation.



# Impact of Prior KCPS Agreements

## TIMELINE

- January 2014
  - Property Purchased from KCPS
  - Property Use Restriction Agreement (PURA)
  
- July 2015
  - First Amendment to PURA
  
- December 2015
  - Project Financing Closing
  - KCPS Reliance Letter
  
- June 2017 thru February 2018
  - Certificates of Occupancy Issued
  
- July 2019
  - Partial Termination and Release of PURA
  - Released all restrictions on property use except for no K-12 school uses without KCPS consent

RECORDER'S CERTIFICATION  
JACKSON COUNTY, MISSOURI

07/31/2019 4:51 PM

FEE: \$27.00 3 PGS



INSTRUMENT NUMBER / BOOK & PAGE

2019E0059457

Book: Page:

Robert T. Kelly, Director, Recorder of Deeds

### **PARTIAL TERMINATION AND RELEASE OF PROPERTY USE RESTRICTION AGREEMENT**

COMES NOW THE SCHOOL DISTRICT OF KANSAS CITY, MISSOURI, a Missouri urban school district (the "School District"), and hereby terminates and releases in its entirety (except as otherwise set forth herein) that certain Property Use Restriction Agreement (the "PUR Agreement") dated January 27, 2014, and filed on January 28, 2014, as Document No. 2014E0007198 in the real estate records of Jackson County, Missouri, thereafter amended pursuant to that certain First Amendment to Property Use Restriction Agreement ("PUR Amendment") dated June 11, 2015, and filed on July 20, 2015, as Document No. 2015E0063887 in the real estate records of Jackson County, Missouri, and affecting that certain real estate located in Kansas City, Jackson County, Missouri, as described in the attached Exhibit A (the "Property") as to all restrictions and requirements described therein **except** the restriction described in section 1 of the PUR Amendment prohibiting the use of the Property for Kindergarten through 12<sup>th</sup> grade educational facility use, other than enrichment programming, after-school programming, pre-kindergarten services and/or adult education programs, without the written consent from the School District Board of Directors, which restriction shall continue in full force and effect until January 26, 2034, unless the School District waives or releases such restriction, in its sole discretion.

IN WITNESS WHEREOF, this Partial Termination and Release of Property Use Restriction Agreement is executed as of this 24 day of July, 2019.

THE SCHOOL DISTRICT OF KANSAS CITY,  
MISSOURI, a Missouri urban school district

# Questions



**File #:** 230267

ORDINANCE NO. 230267

Sponsor: Councilmember Eric Bunch

Amending Chapter 88, Code of Ordinances, by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter; repealing Sections 88-110-03, 88-120-03, 88-130-04 and 88-140-03, Uses, and enacting in lieu thereof new sections of like number and subject matter; and repealing Section 88-810-1582, Short Term Rental Intermediary; in order to effectuate the transfer of the regulation of Short Term Rentals from Chapter 88 to Chapter 56 of the Code of Ordinances.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-110-03, Uses; Section 88-120-03, Uses; Section 88-130-04, Uses; and Section 88-140-03, Uses; and enacting in lieu thereof new sections of like number and subject matter, in order to identify the zoning districts where short term rentals are permitted and to transfer the regulation of such uses to Chapter 56 of the Code of Ordinances, said sections to read as follows:

**88-110-03 USES**

**88-110-03-A. USE TABLE**

Uses are allowed in R zoning districts in accordance with Table 110-1, below.

**88-110-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 110-1 lists the groups, categories, and types allowed in one or more R districts.

**88-110-03-C. PERMITTED USES**

Uses identified with a "P" in Table 110-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-110-03-D. SPECIAL USES**

Uses identified with an "S" in Table 110-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-110-03-E. PROHIBITED USES**

Uses not listed in the table and those identified with a "-" are expressly prohibited.

**88-110-03-F. USE STANDARDS**

The "use standards" column of Table 110-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-110-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in Table 110-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of, boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

Table Residential												110-1 Table
		Districts										Use
USE (refer to 88-805 Use Groups and Categories)	GROUP	ZONING DISTRICT										Use Standards
Use » specific use type	Category	R-80	R-10	R-7.5	R-6	R-5	R-2.5	R-1.5	R-0.75	R-0.5	R-0.3	
<b>RESIDENTIAL</b>												
Household Living		P	P	P	P	P	P	P	P	P	P	88-110-06-C & 88-323
Group Living (except as noted below)		-	-	-	-	-	-	S	S	S	S	88-350
» Group homes		-	-	-	-	-	-	P	P	P	P	88-350
» Nursing home		S	S	S	S	S	S	P	P	P	P	88-350
<b>PUBLIC/CIVIC</b>												
Bicycle-Sharing Facilities		P	P	P	P	P	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization		-	-	-	-	-	-	P	P	P	P	

<b>College/University</b>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
<b>Day Care</b>												
» Home-based (1—5)	P	P	P	P	P	P	P	P	P	P	P	
» Family (up to 10)	P	P	P	P	P	P	P	P	P	P	P	88-330-01
» Group (up to 20)	P	S	S	S	S	S	P	P	P	P	P	88-330-02
» Center (21+)	P	-	-	-	-	-	-	-	-	-	-	88-330-02
<b>Detention and Correctional Facilities</b>	S[1]	-	-	-	-	-	-	-	-	-	-	88-335
<b>Halfway House</b>	S	-	-	-	-	-	-	-	-	-	-	88-352
<b>Hospital</b>	-	-	-	-	-	-	-	-	S	S		
<b>Library/Museum/Cultural Exhibit</b>	P/S	-	-	-	P/S	88-365						
<b>Park/Recreation</b>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
» Homes Association Amenities	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-805-03-H
<b>Religious Assembly</b>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
<b>Safety Service</b> (except as noted below)	S	S	S	S	S	S	S	S	S	S	S	88-365
» Fire station	P	P	P	P	P	P	P	P	P	P	P	88-365
» Police station	P	P	P	P	P	P	P	P	P	P	P	88-365
<b>School</b>	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-365
<b>Utilities and Services</b> (except as noted below)	S[1]	S	S	S	S	S	S	S	S	S	S	
» Basic, minor	P	P	P	P	P	P	P	P	P	P	P	88-425-08-B
<b>COMMERCIAL</b>												
<b>Animal Service</b>												
» Shelter or boarding	P	-	-	-	-	-	-	-	-	-	-	88-315
» Stable	P	-	-	-	-	-	-	-	-	-	-	88-315
» Veterinary Office	P	-	-	-	-	-	-	-	-	-	-	
<b>Entertainment Venues and Spectator Sports</b>	S	-	-	-	-	-	-	-	-	-	-	
<b>Funeral and Interment Service</b>												
» Cemetery/columbarium/mausoleum	S	S	S	S	S	S	S	S	S	S	S	88-345
» Crematory	S	S	S	S	S	S	S	S	S	S	S	88-345
» Undertaking	-	-	-	-	-	-	-	-	S	S		
<b>Lodging</b>												
» Bed and breakfast	S	-	-	S	S	S	S	S	S	S	S	88-320
» Recreational vehicle park	S[1]	-	-	-	-	-	-	-	-	-	-	
» Short term rental	Permitted in all R Districts in accordance with Chapter 56 and 88-321.											
<b>Neighborhood-serving retail</b>	S	S	S	S	S	S	S	S	S	S	S	88-360
<b>Office, Administrative,</b>	-	-	-	-	-	-	S	S	S	S		

<b>Professional or General</b>												
<b>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</b>	S	S	S	S	S	S	S	S	S	S		
<b>Sports and Recreation, Participant</b>	S	-	-	-	-	-	-	-	-	-		
<b>INDUSTRIAL</b>												
<b>Mining and Quarrying</b>	S[2]	-	-	-	-	-	-	-	-	-		
<b>Waste-Related Use (except as noted below)</b>	-	-	-	-	-	-	-	-	-	-		
» Composting facility	S[1]	-	-	-	-	-	-	-	-	-		88-328
» Demolition debris landfill	S[1]	-	-	-	-	-	-	-	-	-		88-380
<b>OTHER</b>												
<b>Agriculture, Animal</b>	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	* Chapter 14
<b>Agriculture, Crop</b>	P	P/S	88-312-01									
<b>Agricultural, Urban</b>												
» Home Garden	P	P	P	P	P	P	P	P	P	P	P	88-312-02-A
» Community Garden	P	P	P	P	P	P	P	P	P	P	P	88-312-02-B
» Community Supported Agriculture (CSA)	P	S	S	S	S	S	S	S	S	S	S	88-312-02-C
<b>ACCESSORY SERVICES</b>												
<b>Wireless Communication Facility</b>												
» Freestanding	P	-	-	-	-	-	-	-	-	-	-	88-385
» Co-located antenna	P	P	P	P	P	P	P	P	P	P	P	88-385

**88-120-03 USES**

**88-120-03-A. USE TABLE**

Uses are allowed in O and B zoning districts in accordance with Table 120-1, below.

**88-120-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 120-1 lists the groups, categories, and types allowed in one or more O or B districts.

**88-120-03-C. PERMITTED USES**

Uses identified with a "P" in Table 120-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-120-03-D. SPECIAL USES**

Uses identified with an "S" in Table 120-1 may be allowed if reviewed and approved in accordance with any special use permit procedures of 88-525. Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-120-03-E. PROHIBITED USES**

Uses not listed in the table and those identified with a "-" are expressly prohibited.

**88-120-03-F. USE STANDARDS**

The "use standards" column of Table 120-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-120-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in Table 120-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of, boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

**88-120-03-H. SPECIAL STANDARDS FOR PROPERTIES LOCATED WITHIN THE AREA KNOWN AS THE COUNTRY CLUB PLAZA**

Additional restrictions on uses located within the area known as the Country Club Plaza, which is the area bounded by Summit Street, Jefferson Street, and Pennsylvania Avenue on the west; W 47th Street, W 46th Street, and W 46th Terrace on the north; Broadway, Wyandotte Street, and JC Nichols Parkway on the east; and Ward Parkway on the south ("Country Club Plaza") are imposed in Table 120-1, as follows:

1. Uses identified with a bracketed numeral four "[4]" are prohibited within the Country Club Plaza.
2. Uses identified with a bracketed numeral five "[5]" require special use permit approval if located within the Country Club Plaza. (Refer to special use permit procedures in 88-525.)
3. Detached houses are prohibited within the Country Club Plaza.

<b>Table Office, Business, and Commercial Districts Use</b>							<b>120-1 Table</b>
<b>USE (refer to 88-805 Use Groups and Categories)</b>	<b>GROUP</b>	<b>ZONING DISTRICT</b>					<b>Use Standards</b>
<b>Use » specific use type</b>	<b>Category</b>	<b>O</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	
<b>RESIDENTIAL</b>							
<b>Household Living</b>							
» Detached houses	P	P	P	P	P	P	88-120-03-H.3
» In any other residential building type	-	P	P	P	P	P	88-323
» In mixed-use building	P	P	P	P	P	P	
<b>Group Living</b>	P	P	P	P	P	P[5]	
<b>PUBLIC/CIVIC</b>							
<b>Bicycle Sharing Facilities</b>	P	P	P	P	P	P	88-322
<b>Club, Lodge, or Fraternal Organization</b>	P	P	P	P	P	P[5 for Ground Floor Uses]	
<b>College/University</b>	P	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Day Care</b>							
» Home-based (1—5)	P	P	P	P	P	P[5 for Ground Floor Uses]	
» Family (up to 10)	P	P	P	P	P	P[5 for Ground Floor Uses]	
» Group (up to 20)	P	P	P	P	P	P[5 for Ground Floor Uses]	
» Center (21+)	P	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Hospital</b>	S	P	P	P	P	P[5 for Ground Floor	

					Uses]	
<b>Library/Museum/Cultural Exhibit</b>	P	P	P	P	P	
<b>Park/Recreation</b>	P	P	P	P	P	
<b>Religious Assembly</b>	P	P	P	P	P	
<b>Safety Service</b>						
» Fire station	P	P	P	P	P[4]	
» Police station	P	P	P	P	P	
» Ambulance service	S	S	S	P	P[4]	
<b>School</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Utilities and Services (except as noted below)</b>	S[1]	S[1]	S[1]	S[1]	S[1][5]	
» Basic, minor	P	P	P	P	P	88-425-08-B
<b>COMMERCIAL</b>						
<b>Adult Business</b>						
» Adult media store	-	-	P[1]	P[1]	P[1][4]	88-310-03
» Adult motion picture theater	-	-	-	P[1]	P[1][4]	88-310-02
» Sex shop	-	-	-	P[1]	P[1][4]	88-310-02
<b>Animal Service</b>						
» Sales and grooming	-	P	P	P	P	88-315
» Shelter or boarding	-	-	P	P	P[4]	88-315
» Stable	-	-	-	-	S[4]	88-315
» Veterinary	-	-	P	P	P[5 for Ground Floor Uses]	88-315
<b>Artist Work or Sales Space</b>	-	P	P	P	P	
<b>Building Maintenance Service</b>	-	-	-	P	P[5]	
<b>Business Equipment Sales and Service</b>	-	-	P	P	P	
<b>Business Support Service (except as noted below)</b>	-	-	P	P	P[5]	
» Day labor employment agency	-	-	-	-	S[1][4]	88-331
<b>Communications Service Establishments</b>	P	-	P	P	P[5]	
<b>Drive-Through Facility</b>	-	-	P[2]	P[2]	P[2]	88-338 and 88-340
<b>Eating and Drinking Establishments (except as noted below)</b>	P	P	P	P	P	
» Tavern or nightclub	-	-	P	P	P	
<b>Entertainment Venues and Spectator Sports</b>						
» Indoor small venue (1—149 capacity)	-	-	P	P	P[5 for Ground	

					Floor Uses]	
» Indoor medium venue (150—499 capacity)	-	-	S	P	P[5 for Ground Floor Uses]	
» Indoor large venue (500+ capacity)	-	-	-	S	P[5 for Ground Floor Uses]	
» Outdoor (all sizes)	-	-	-	S	P[5]	
<b>Financial Services (except as noted below)</b>	S	P	P	P	P	
» Pawn shop	-	P	P	P	P	
» Short-term loan establishment	-	-	P[1]	P[1]	P[1][4]	88-325
<b>Food and Beverage Retail Sales</b>	-	P	P	P	P	
<b>Funeral and Interment Service</b>						
» Cemetery/columbarium/mausoleum	S	S	S	S	S	88-345
» Cremating	-	S	S	S	S	88-345-02
» Undertaking	-	S	P	P	P[5]	88-345
<b>Gasoline and Fuel Sales</b>	-	S[3]	S[3]	S[3]	P[3][5]	88-323
<b>Lodging</b>						
» Bed and Breakfast	-	P	P	P	P[5 for Ground Floor Uses]	88-320
» Hotel/motel	-	-	-	P[2]	P[2]	88-323
» Recreational vehicle park	-	-	-	S[1]	S[1][4]	
» Short term rental	-	P	P	P	P	Chapter 56
<b>Mobile Vendor Park</b>	-	-	-	P	P	88-358
<b>Office, Administrative, Professional or General</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Office, Medical</b>	P	P	P	P	P[5 for Ground Floor Uses]	
» Blood/plasma center	-	-	-	S	S	
<b>Parking, Accessory</b>	P	P	P	P	P	88-323
<b>Parking, Non-accessory</b>	-	-	S[1]	P[1]	P[1]	
<b>Personal Improvement Service</b>	P	P	P	P	P	
<b>Repair or Laundry Service, Consumer</b>	-	P	P	P	P	
<b>Research Service</b>	P	P	P	P	P[5 for Ground	

					Floor Uses]	
<b>Retail Sales</b>	-	P	P	P	P	
» Outdoor Retail Sales - Class A	-	P	P	P	P	88-366-01
» Outdoor Retail Sales - Class B	-	-	-	P	P[4]	88-366-02
<b>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</b>	S	S	S	S	S	
<b>Sports and Recreation, Participant</b>						
» Indoor	-	P	P	P	P[5 for Ground Floor Uses]	
» Outdoor	-	-	-	P	P[5 for Ground Floor Uses]	
<b>Vehicle Sales and Service</b>						
» Car wash/cleaning service	-	-	S[1]	P[1]	P[1][5, if not within a parking structure]	
» Heavy equipment sales/rental	-	-	-	S[1]	P[1][4]	
» Light equipment sales/rental (indoor)	-	-	P[2]	P[2]	P[2]	88-323
» Light equipment sales/rental (outdoor)	-	-	S[1]	S[1]	P[1][5, if not within a parking structure]	
» Motor vehicle repair, limited	-	-	S[2]	P[2]	P[2][5]	88-323
» Motor vehicle repair, general	-	-	-	S[2]	P[2][5]	88-323
» Vehicle storage/towing	-	-	-	-	P[1][4]	88-375
<b>INDUSTRIAL</b>						
<b>Manufacturing, Production and Industrial Service</b>						
» Artisan	-	P/S	P	P	P	88-318
» Limited	-	-	-	-	S[4]	
» General	-	-	-	-	S[2][4]	88-323
» Intensive	-	-	-	-	-	
<b>Recycling Service</b>						
» Limited	-	-	-	-	S[1][4]	
<b>Self-Storage Warehouse</b>	-	-	-	-	P[2][4]	88-323, 88-369
<b>Warehousing, Wholesaling, Storage, Freight Movement</b>						

» Indoor	-	-	-	-	P[2][4]	88-323, 88-378
» Outdoor	-	-	-	-	-	88-378
<b>AGRICULTURAL</b>						
<b>Agriculture, Animal</b>	P/*	P/*	P/*	P/*	P/*[4]	*Chapter 14
<b>Agriculture, Crop</b>	P	P	P	P	P[4]	88-312-01
<b>Agriculture, Urban</b>						
» Home Garden	P	P	P	P	P	88-312-02-A
» Community Garden	P	P	P	P	P[4]	88-312-02-B
» Community Supported Agriculture (CSA)	P	P	P	P	P[4]	88-312-02-C
<b>ACCESSORY SERVICES</b>						
<b>Wireless Communication Facility</b>						
» Freestanding	-	-	P[1]	P[1]	P[1][4]	88-385
» Co-located antenna	P	P	P	P	P[5]	88-385

**88-130-04 USES**

**88-130-04-A. USE TABLE**

Uses are allowed in the D zoning districts in accordance with Table 130-1, below.

**88-130-04-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 130-1 lists the groups, categories, and types allowed in one or more D districts.

**88-130-04-C. PERMITTED USES**

Uses identified with a "P" in Table 130-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-130-04-D. SPECIAL USES**

Uses identified with an "S" in Table 130-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-130-04-E. PROHIBITED USES**

Uses not listed in the use table and those identified with a "-" are expressly prohibited.

**88-130-04-F. USE STANDARDS**

The "use standards" column of Table 130-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-130-04-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in table 130-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

<u>USE</u> <u>(refer to 88-805 Use Groups and Categories)</u>	<u>GROUP</u>	<u>Zoning District</u>			<u>Use Standards</u>
<u>Use</u> <u>» specific use type</u>	<u>Category</u>	<u>DC</u>	<u>DX</u>	<u>DR</u>	
<b><u>RESIDENTIAL</u></b>					
<b><u>Household Living</u></b>					
<u>» Single-family home</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>» In single-purpose residential building</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>88-323</u>
<u>» In mixed-use building</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Group Living</u></b>		<u>S</u>	<u>S</u>	<u>S</u>	
<b><u>PUBLIC/CIVIC</u></b>					
<b><u>Bicycle Sharing Facilities</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>88-322</u>
<b><u>Club, Lodge, or Fraternal Organization</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	
		<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Day Care</u></b>					
<u>» Home-based (1—5)</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Family (up to 10)</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Group (up to 20)</u>		<u>P</u>	<u>P</u>	<u>S</u>	

<u>» Center (21+)</u>	<u>P</u>	<u>P</u>	<u>S</u>	
<b><u>Hospital</u></b>	<u>S</u>	<u>S</u>	<u>S</u>	
<b><u>Library/Museum/Cultural Exhibit</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Park/Recreation (except as noted below)</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Community center</u>	<u>P</u>	<u>P</u>	<u>P/S</u>	<u>88-365</u>
<b><u>Religious Assembly</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Safety Service</u></b>				
<u>» Fire Station</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-365</u>
<u>» Police Station</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-365</u>
<u>» Ambulance service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-365</u>
<b><u>School</u></b>	<u>P</u>	<u>P</u>	<u>P/S</u>	<u>88-365</u>
<b><u>Utilities and Services (except as noted below)</u></b>	<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	
<u>» Basic, minor</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-425-08-B</u>
<b><u>COMMERCIAL</u></b>				
<b><u>Adult Business</u></b>				
<u>» Adult media store</u>	<u>P[1]</u>	<u>P[1]</u>	<u>-</u>	<u>88-310-03</u>
<u>» Adult motion picture theater</u>	<u>P[1]</u>	<u>P[1]</u>	<u>-</u>	<u>88-310-02</u>
<u>» Sex shop</u>	<u>P[1]</u>	<u>P[1]</u>	<u>-</u>	<u>88-310-02</u>
<b><u>Animal Service</u></b>				
<u>» Sales and grooming</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>88-315</u>
<u>» Shelter or boarding</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>88-315</u>
<u>» Stable</u>	<u>-</u>	<u>S</u>	<u>-</u>	<u>88-315</u>
<u>» Veterinary</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>88-315</u>
<b><u>Artist Work or Sales Space</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Building Maintenance Service</u></b>	<u>P</u>	<u>P</u>	<u>-</u>	
<b><u>Business Equipment Sales and Service</u></b>	<u>P</u>	<u>P</u>	<u>-</u>	
<b><u>Business Support Service (except as noted below)</u></b>	<u>P</u>	<u>P</u>	<u>-</u>	
<u>» Day labor employment agency</u>	<u>-</u>	<u>S[1]</u>	<u>-</u>	
<b><u>Communications Service Establishments</u></b>	<u>P</u>	<u>P</u>	<u>-</u>	
<b><u>Drive-Through Facility</u></b>	<u>S[2]</u>	<u>S[2]</u>	<u>-</u>	<u>88-338 &amp; 88-340</u>
<b><u>Eating and Drinking Establishments (except as noted below)</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	

<a href="#">» Tavern or nightclub</a>	<u>P</u>	<u>P</u>	<u>S</u>	
<b><u>Entertainment Venues and Spectator Sports</u></b>				
<a href="#">» Indoor small venue (1—149 capacity)</a>	<u>P</u>	<u>P</u>	<u>S</u>	
<a href="#">» Indoor medium venue (150—499 capacity)</a>	<u>P</u>	<u>P</u>	<u>S</u>	
<a href="#">» Indoor large venue (500+ capacity)</a>	<u>S</u>	<u>S</u>	<u>S</u>	
<a href="#">» Outdoor (all sizes)</a>	<u>S</u>	<u>S</u>	<u>S</u>	
<b><u>Financial Services (except as noted below)</u></b>				
<a href="#">» Pawn shop</a>	-	<u>S[1]</u>	-	
<a href="#">» Short-term loan establishment</a>	-	<u>P[1]</u>	-	<a href="#">88-325</a>
<b><u>Food and Beverage Retail Sales</u></b>				
<b><u>Funeral and Interment Service</u></b>				
<a href="#">» Cemetery/columbarium/mausoleum</a>	-	-	-	
<a href="#">» Cremating</a>	-	-	-	
<a href="#">» Undertaking</a>	<u>P[2]</u>	<u>P[2]</u>	-	<a href="#">88-345</a>
<b><u>Gasoline and Fuel Sales</u></b>				
	<u>S[3]</u>	<u>S[3]</u>	-	<a href="#">88-323</a>
<b><u>Lodging</u></b>				
<a href="#">» Bed and Breakfast</a>	<u>P</u>	<u>P</u>	<u>P</u>	
<a href="#">» Hotel/motel</a>	<u>P[2]</u>	<u>P[2]</u>	<u>S[2]</u>	<a href="#">88-323</a>
<a href="#">» Short term rental</a>	<u>P</u>	<u>P</u>	<u>P</u>	<a href="#">Chapter 56</a>
<b><u>Mobile Vendor Park</u></b>				
	<u>P</u>	<u>P</u>	-	<a href="#">88-358</a>
<b><u>Office, Administrative, Professional or General</u></b>				
	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Office, Medical</u></b>				
<a href="#">» Blood/plasma center</a>	<u>S</u>	<u>S</u>	-	
<b><u>Parking, Accessory</u></b>				
	<u>P</u>	<u>P</u>	<u>P</u>	<a href="#">88-323</a>
<b><u>Parking, Non-accessory</u></b>				
	<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	
<b><u>Personal Improvement Service</u></b>				
	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Repair or Laundry Service, Consumer</u></b>				
	<u>P</u>	<u>P</u>	<u>S</u>	
<b><u>Research Service</u></b>				
	<u>P</u>	<u>P</u>	<u>S</u>	
<b><u>Retail Sales</u></b>				
<a href="#">» Outdoor Retail Sales - Class A</a>	<u>P</u>	<u>P</u>	<u>P</u>	<a href="#">88-366-01</a>
<b><u>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</u></b>				
	<u>S</u>	<u>S</u>	<u>S</u>	

<b><u>Sports and Recreation, Participant</u></b>				
» <u>Indoor</u>	<u>P</u>	<u>P</u>	<u>S</u>	
» <u>Outdoor</u>	<u>S</u>	<u>S</u>	<u>S</u>	
<b><u>Vehicle Sales and Service</u></b>				
» <u>Car wash/cleaning service</u>	<u>S[1]</u>	<u>S[1]</u>	-	
» <u>Heavy equipment sales/rental</u>	-	<u>S[1]</u>	-	
» <u>Light equipment sales/rental (indoor)</u>	<u>S[2]</u>	<u>S[2]</u>	-	<u>88-323</u>
» <u>Light equipment sales/rental (outdoor)</u>	<u>S[1]</u>	<u>S[1]</u>	-	
» <u>Motor vehicle repair, limited</u>	<u>S[2]</u>	<u>S[2]</u>	-	<u>88-323</u>
» <u>Motor vehicle repair, general</u>	-	<u>S[2]</u>	-	<u>88-323</u>
» <u>Vehicle storage/towing</u>	-	<u>S[1]</u>	-	<u>88-375</u>
<b><u>INDUSTRIAL</u></b>				
<b><u>Manufacturing, Production and Industrial Service</u></b>				
» <u>Artisan</u>	<u>P</u>	<u>P</u>	<u>P/S</u>	<u>88-318</u>
» <u>Limited</u>	<u>S</u>	<u>S</u>	<u>S</u>	
» <u>General</u>	<u>S</u>	<u>S[2]</u>	-	<u>88-323</u>
<b><u>Recycling Service</u></b>				
» <u>Limited</u>	-	<u>S[1]</u>	-	
<b><u>Self-Storage Warehouse</u></b>	-	<u>S[2]</u>	-	<u>88-323</u> <u>88-369</u>
<b><u>Warehousing, Wholesaling, Storage, and Freight Movement</u></b>				
» <u>Indoor</u>	<u>S[2]</u>	<u>S[2]</u>	=	<u>88-323</u> <u>88-378</u>
» <u>Outdoor</u>		<u>S[2]</u>	-	<u>88-323</u> <u>88-378</u>
<b><u>AGRICULTURAL</u></b>				
<b><u>Agriculture, Animal</u></b>	-	<u>P/*</u>	-	<u>Chapter 14</u>
<b><u>Agriculture, Crop</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-312-01</u>
<b><u>Agriculture, Urban</u></b>				
» <u>Home Garden</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-312-02-A</u>
» <u>Community Garden</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-312-02-B</u>
» <u>Community Supported Agriculture (CSA)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-312-02-C</u>
<b><u>ACCESSORY</u></b>				

**Wireless Communication Facility**

<u>» Freestanding</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>» Co-located antenna</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-385</u>

**88-140-03 USES**

**88-140-03-A. USE TABLE**

Uses are allowed in M zoning districts in accordance with Table 140-1, below.

**88-140-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 140-1 lists the groups, categories, and types allowed in M districts.

**88-140-03-C. PERMITTED USES**

Uses identified with a "P" in Table 140-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-140-03-D. SPECIAL USES**

Uses identified with an "S" in Table 140-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-140-03-E. PROHIBITED USES**

Uses not listed and those identified with a "-" are expressly prohibited.

**88-140-03-F. USE STANDARDS**

The "use standards" column of Table 140-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-140-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in table 140-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":

- a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
- b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied*

by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.

<b>Table</b>					<b>140-1</b>	
<b>Manufacturing Districts Use Table</b>						
<u>USE</u> (refer to 88-805 Use Groups and Categories)	<u>GROUP</u>	<u>Zoning District</u>				<u>Use Standards</u>
<u>Use</u> » specific use type	<u>Category</u>	<u>M1</u>	<u>M2</u>	<u>M3</u>	<u>M4</u>	
<b><u>RESIDENTIAL</u></b>						
<b><u>Household Living</u></b>						
» Single-family home		<u>S</u>	=	=	=	
» In single-purpose residential building		<u>P</u>	<u>S</u>	=	=	
» In mixed-use building		<u>P</u>	<u>S</u>	=	=	
<b><u>Group living</u></b>		<u>S</u>	=	=	=	
<b><u>PUBLIC/CIVIC</u></b>						
<b><u>Bicycle Sharing Facility</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-322</u>
<b><u>Club, Lodge, or Fraternal Organization</u></b>		<u>P</u>	<u>P</u>	=	=	
<b><u>College/University</u></b>		<u>P</u>	<u>P</u>	=	=	
<b><u>Day Care</u></b>		<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	
<b><u>Detention and Correctional Facilities</u></b>		<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	<u>88-335</u>
<b><u>Halfway House</u></b>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>88-352</u>
<b><u>Hospital</u></b>		<u>P</u>	=	=	=	
<b><u>Park/Recreation</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Religious Assembly</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Safety Service</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Schools</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Utilities and Services (except as noted below)</u></b>		<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	
» Basic, minor		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-425-08-B</u>
<b><u>COMMERCIAL</u></b>						
<b><u>Adult Business</u></b>						
» Adult media store		<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>88-310</u>
» Adult motion picture theater		<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>88-310</u>

<u>» Sex shop</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>88-310</u>
<b><u>Animal Service</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-315</u>
<b><u>Artist Work or Sales Space</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Building Maintenance Service</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Business Equipment Sales and Service</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Business Support Service (except as noted below)</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Day labor employment agency</u>	<u>S[1]</u>	<u>S[1]</u>	<u>P[1]</u>	<u>P[1]</u>	
<b><u>Communications Service Establishments</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Drive-through Facility</u></b>	<u>P[2]</u>	<u>P[2]</u>	<u>-</u>	<u>-</u>	<u>88-340</u>
<b><u>Eating and Drinking Establishments</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Entertainment Venues and Spectator Sports</u></b>	<u>P</u>	<u>S</u>	<u>S</u>	<u>-</u>	
<b><u>Financial Services (except as noted below)</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Pawn shop</u>	<u>P[1]</u>	<u>S[1]</u>	<u>S[1]</u>	<u>S[1]</u>	
<u>» Short-term loan establishment</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>88-325</u>
<b><u>Food and Beverage Retail Sales</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Funeral and Interment Service</u></b>					
<u>» Cemetery/columbarium/mausoleum</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>» Cremating</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>» Undertaking</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Gasoline and Fuel Sales</u></b>	<u>P[3]</u>	<u>P[3]</u>	<u>P[3]</u>	<u>P[3]</u>	<u>88-323</u>
<b><u>Lodging (except as noted below)</u></b>					
<u>» Hotel/motel</u>	<u>S[1]</u>	<u>-</u>	<u>-</u>	<u>-</u>	
<u>» Short term rental</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>Chapter 56</u>
<b><u>Mobile Vendor Park</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>88-358</u>
<b><u>Office, Administrative, Professional or General</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Office, Medical</u></b>	<u>P</u>	<u>P</u>	<u>-</u>	<u>-</u>	
<b><u>Parking, Accessory</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Parking, Non-accessory</u></b>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	<u>P[1]</u>	
<b><u>Personal Improvement Service</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Repair or Laundry Service, Consumer</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>	
<b><u>Research Service</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Retail Sales</u></b>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

<a href="#">» Outdoor Retail Sales - Class A</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-366-01</a>
<a href="#">» Outdoor Retail Sales - Class B</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-366-02</a>
<b><a href="#">Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</a></b>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	
<b><a href="#">Sports and Recreation, Participant</a></b>	<a href="#">P</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">-</a>	
<b><a href="#">Vehicle Sales and Service</a></b>					
<a href="#">» Car wash/cleaning service</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<a href="#">» Heavy equipment sales/rental</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<a href="#">» Light equipment sales/rental (indoor)</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">88-323</a>
<a href="#">» Light equipment sales/rental (outdoor)</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">-</a>	<a href="#">-</a>	
<a href="#">» Motor vehicle repair, limited</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">88-323</a>
<a href="#">» Motor vehicle repair, general</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">88-323</a>
<a href="#">» Vehicle storage/towing</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">88-375</a>
<b><a href="#">INDUSTRIAL</a></b>					
<b><a href="#">Junk/Salvage Yard</a></b>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">S[1]</a>	<a href="#">P[1]</a>	<a href="#">88-425-09</a>
<b><a href="#">Manufacturing, Production and Industrial Service</a></b>					
<a href="#">» Artisan</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-318</a>
<a href="#">» Limited</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<a href="#">» General</a>	<a href="#">S[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">88-323</a>
<a href="#">» Intensive</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<b><a href="#">Mining/Quarrying</a></b>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">88-355</a>
<b><a href="#">Recycling Service</a></b>					
<a href="#">» Limited</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<a href="#">» General</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">P</a>	
<b><a href="#">Self-Storage Warehouse</a></b>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">-</a>	<a href="#">88-323</a> & <a href="#">88-369</a>
<b><a href="#">Warehousing, Wholesaling, Storage, and Freight Movement</a></b>					
<a href="#">» Indoor</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">88-378</a>
<a href="#">» Outdoor</a>	<a href="#">S[1]</a>	<a href="#">P[1]</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">88-378</a>
<b><a href="#">Waste-Related Use</a></b>					
<a href="#">» Composting facility</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-328</a>
<a href="#">» Demolition debris landfill</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-380</a>
<a href="#">» Solid waste separation facility</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-380</a>

<a href="#">» Transfer station</a>	=	=	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-380</a>
<b><u>AGRICULTURAL</u></b>					
<b><u>Agriculture, Animal</u></b>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">Chapter 14</a>
<b><u>Agriculture, Crop</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-01</a>
<b><u>Agriculture, Urban</u></b>					
<a href="#">» Home garden</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-A</a>
<a href="#">» Community garden</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-B</a>
<a href="#">» Community supported agriculture (CSA)</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-C</a>
<b><u>ACCESSORY SERVICES</u></b>					
<b><u>Wireless Communication Facility</u></b>					
<a href="#">» Freestanding</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">88-385</a>
<a href="#">» Co-located antenna</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-385</a>

**Section 2. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter, with said new section to read as follows:**

**88-321 SHORT TERM RENTALS**

**88-321-01 WHERE PERMITTED**

Except lodging otherwise permitted by 88-305-12 (and Bed and Breakfast as permitted by 88-320), Short Term Rentals are permitted in accordance with Chapter 56 of the code of ordinances in the following zoning districts: AG-R, R, B, D, UR, MPD, and M1.

Section 3. Repealing Section 88-810-1581, Short Term Rental Intermediary.

Section 4. That Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.  
..end

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Senior Associate City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**230267**



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**File #: 230268**

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ORDINANCE NO. 230268

Sponsor(s): Councilmember Eric Bunch and Mayor Quinton Lucas

Amending Chapter 56, Code of Ordinances, by enacting new Article VIII, entitled “Short-Term Rental Registration,” which would become effective May 15, 2023, and requires short-term rentals operating in the City to register with the City on an annual basis, pay an annual registration fee, certify various safety information and the identity of the natural person who will reside on the property as a long-term resident or such person who has management control and responsibility for the short-term rental, and provides density restrictions for non-resident short-term rentals, penalty provisions for both short-term rentals and their booking service providers for non-compliance with such registration requirements, and places recordkeeping requirements on both short-term rentals and their booking service providers.

WHEREAS, a recent City Audit highlighted the proliferation of short-term rentals in the City and potential limitations in City’s capacity to regulate short-term rentals through its existing regulations in Chapter 88 of the City Code, Sections 88-321-01 through 88-321-04, administered and enforced through the City’s Planning and Development Department; and

WHEREAS, on December 15, 2022, the City Council passed Resolution No. 221069, directing the City Manager to begin transition of regulatory duties concerning short-term rentals from the City Planning and Development Department to the Neighborhood Services Department, which included a directive to make any necessary personnel changes, secure any necessary funding, and to propose any appropriate, corresponding amendments to the City’s Code in order to effectuate this transition, and to complete such tasks within 90 days; and

WHEREAS, City seeks to identify short-term rentals operating in the City, better ensure they operate in a manner consistent with public health and safety and promote accountability and preserve the established character of existing neighborhoods, gain contact information for code enforcement and compliance, and encourage the cooperation of short-term rental booking service providers in accomplishing these purposes.

WHEREAS, in connection with the enactment of this new article within Chapter 56, City intends, via separate ordinance, to appropriately revise the existing short-term rental regulations in Chapter 88 of its Code to clarify the overall regulatory approach toward short-term rentals; NOW, THEREFORE,

**BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:**

Section 1. That Chapter 56, Code of Ordinances, is hereby amended by enacting a new Article VIII, entitled “Short-Term Rental Registration,” to read as follows:

**CHAPTER 56, ARTICLE VIII.  
SHORT-TERM RENTAL REGISTRATION**

**Sec. 56-801. Effective date and purpose.**

The provisions of this article shall become effective May 15, 2023. The purpose of this article is:

- (a) To identify those properties in the City that operate as short-term rentals, to better ensure they operate in a manner consistent with public health and safety, and to gain contact information for code enforcement and compliance;
- (b) To allow non-resident short-term rentals to operate in the City in a manner that promotes accountability and preserves the established character of existing neighborhoods; and
- (c) To encourage the cooperation of short-term rental booking service providers in accomplishing these purposes.

**Sec. 56-802. Definitions.**

- (a) *Advertising* means the act of drawing the public's attention to a short-term rental.
- (b) *Booking service provider* means any person or entity who facilitates a transaction between a prospective guest and a person or entity offering a short-term rental.
- (c) *City* means the City of Kansas City, Missouri.
- (d) *Director* means the Director of the City's Neighborhood Services Department or their authorized representative.
- (e) *Dwelling unit* means one or more rooms designed, occupied, or intended for occupancy as separate living quarters. A dwelling unit includes a single-family residence, and each unit of an apartment, duplex, or multiple dwelling structure designed as a separate habitation for one or more persons.
- (f) *Long-term resident* means any natural person who, as of the date the registration is submitted pursuant to Section 56-803: (1) maintains their primary residence on the parcel where the dwelling unit that is the subject of the short-term rental registration is located; and (2) certifies that they will maintain their primary residence on such parcel for a period of twelve months or more after the date the short-term rental registration is submitted.
- (g) *Owner* means any person who, alone or with others, has legal or equitable title to a dwelling unit. A person whose interest in a dwelling unit is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.

- (h) *Primary residence* means the place in which a person's habitation is fixed for the term of the registration and is the person's usual place of return. A person can have only one (1) primary residence.
- (i) *Registrant* means the natural person who has (1) identified themselves as the registrant in the registration information and documentation submitted to the director pursuant to section 56-803 either (a) for a resident short-term rental; or (b) a non-resident short-term rental; (2) either owns the dwelling unit, or has a documented right to possess and conduct a short-term rental within the dwelling unit; and (3) has complied with all registration requirements for such dwelling unit in this article.
- (j) *Registration period* means the period from the date a registration is issued by the City in Section 56-803 through its expiration twelve months later.
- (k) *Non-resident short-term rental* means any short-term rental whose registrant or proposed registrant has not demonstrated that they are a long-term resident of such dwelling unit, as defined in this article.
- (l) *Resident short-term rental* means any short-term rental whose registrant or proposed registrant demonstrates that they are a long-term resident of such dwelling unit, as required in this article.
- (m) *Short-term rental* means any dwelling unit offered, provided, or operated as lodging accommodations to guests in exchange for remuneration for a period of less than thirty (30) consecutive days.

**Sec. 56-803. Annual short-term rental registration.**

The requirements stated in this section shall not apply to a properly registered short-term rental pursuant to Chapter 88 of this Code. For purposes of this subsection, a properly registered short-term rental pursuant to Chapter 88 of this Code is any short-term rental that was registered with the City as short-term rental, and whose annual registration has not expired, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398. Unless exempted from this section, beginning May 15, 2023, each dwelling unit, before being offered, provided or operated as a short-term rental in the city, shall have its registrant submit the following to the director:

- (a) *Fee*. A yearly registration fee of \$200.00; and
- (b) *Registration*. The following registration information and documentation, upon forms provided by the director:
  - (1) *Dwelling unit*. The exact street address of each dwelling unit that may be offered, provided or operated as a short-term rental during the registration period, the primary intended use of the property on which the dwelling unit is situated, and, for a short-term rental within a multi-unit building, the number of dwelling units in each building on the property.
  - (2) *Registrant*. Identification of the registrant by full name, Social Security Number or Federal Tax Identification Number, telephone number, mailing address, email address and date of birth.

- (3) *Owner.* If registrant is not the owner of the dwelling unit, identification of each owner of the dwelling unit by full name, telephone number, Social Security Number or Federal Tax Identification Number, mailing address, email address and date of birth. If the dwelling unit is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of any of the following shall be provided:
- a. for a corporation, a corporate officer and the chief operating officer;
  - b. for a partnership, the managing partner;
  - c. for a limited liability company, the managing or administrative member;
  - d. for a limited partnership, a general partner;
  - e. for a trust, a trustee; or
  - f. for a real estate investment trust, a general partner or an officer.
- (4) *Resident short-term rental.* If the proposed registrant claims to be a long-term resident on the parcel where the dwelling unit to be offered, provided or operated as a short-term rental is located, documentation demonstrating that the resident is a long-term resident, by certifying that they will maintain primary residence on such parcel for the next twelve months, and providing at least two (2) of the following documents demonstrating that such parcel is their primary residence:
- a. Proof of valid motor vehicle registration;
  - b. Federal or state tax returns or other financial documentation;
  - c. Proof of voter registration;
  - d. A utility bill; and/or
  - e. Any other legal documentation deemed sufficient by the director that is pertinent to establishing primary residence.
- (5) *Non-resident short-term rental.* If the proposed registrant does not claim to be a long-term resident on the parcel where the dwelling unit to be offered, provided or operated as a short-term rental is located:
- a. A notarized affidavit executed by the registrant stating their full name, telephone number, mailing address, email address, and that they are the natural person who has management control and responsibility for the dwelling unit, and will personally inspect the interior and exterior of such dwelling unit at least once per month during the registration period; and
  - b. Possession of a business license to operate a short-term rental in the dwelling unit, pursuant to Chapter 40 of this Code.
- (6) *Registrant's proof of possession.* Proof of possession of the short-term rental, either by valid warranty deed, valid lease, or other verification of the tenant's right to possession of the dwelling unit. If the proposed registrant does not own the dwelling unit, they must also provide a notarized affidavit from the property owner allowing the proposed registrant to conduct a short-term rental within the dwelling unit.
- (7) *Tax clearance.* Tax clearance letter, issued by the City's Revenue Division of the Finance Department, for registrant and owner.
- (8) *Safety requirements.* Certification by the registrant, and, if registrant is not the owner of the dwelling unit, by the owner, to the following safety requirements:

- a. The dwelling unit complies with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, electrical, mechanical, and plumbing codes.
  - b. Posted within each dwelling unit offered, provided and/or operated as a short-term rental is the contact information for the registrant, owner, and other local emergency contact information.
  - c. For a short-term rental within a multi-unit building, a map is posted depicting all evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit, but is not required when a door leads directly to the outside of the building at grade level.
  - d. Installed and maintained within the dwelling unit are smoke and carbon monoxide detectors in locations as specified for dwelling units by the Building Code.
  - e. The dwelling unit contains a working fire extinguisher and a working battery powered portable flashlight or lantern or other emergency lighting device that is workable during an electrical power outage.
  - f. Registrant and owner will allow inspection of the short-term rental dwelling unit by the city for fire, public safety, health/sanitation and other city code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short term-rental guest.
- (9) *Non-resident short-term rental must remedy violations after deregistration.* For any proposed non-resident short-term rental that was previously deregistered with the City pursuant to section 56-804 for violation(s) of this Code, the proposed registrant for such short-term rental must provide documentation to the director demonstrating that such Code violation(s) that were the basis for such deregistration have been remedied.
- (10) *Certification.* The registrant, and, if registrant is not the owner of the dwelling unit, the owner(s), shall certify via notarized affidavit that the information required in this section is accurate and truthful.
- (c) *Density requirement for non-resident short-term rentals.* To be eligible for registration under this article, a proposed non-resident short-term rental must satisfy the following density requirements:
- (1) If the proposed non-resident short-term rental is in a structure where there are fewer than three dwelling units, the dwelling unit proposed for registration cannot be less than 1,000 feet from the nearest dwelling unit that is either currently registered as a non-resident short-term rental under this article or is a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code. In determining whether any such short-term rentals fall within such distance of the proposed dwelling unit seeking registration, the director shall consider any dwelling unit within or intersected by a radius of 1000 linear feet of ground from the dwelling unit, and including any dwelling unit above or below such radius.
  - (2) If the proposed non-resident short-term rental is in a structure where there are three or more dwelling units, no registration shall issue for such dwelling unit if 25% or more of the dwelling units within such structure are currently registered as short-term

rentals under this article or are properly permitted Type 2 short-term rentals pursuant to Chapter 88 of this Code.

The density requirements stated in this subsection shall not apply to the proposed registration of either a resident short-term rental as defined in this article, or a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code. For purposes of this subsection, a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code is any short-term rental that obtained an administrative approval or a special use permit as a Type 2 or non-owner occupied short-term rental, which has neither lapsed nor been revoked, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398.

- (d) *Determination to issue or renew registration.* Upon the director's determination that the requirements of this section have been satisfied, the director shall issue to the registrant a unique registration number for the dwelling unit. Each registration issued under this article shall expire at the end of its registration period and shall be subject to renewal annually. Any renewal registration must comply with all requirements of this section, and will be accepted beginning thirty days before end of the previous registration period and may be made without penalty before the end of the previous registration period.

**Sec. 56-804. Deregistration.**

- (a) *Non-resident short-term rental Code violation.* A non-resident short-term rental registered under this article may be deregistered under this article when, in the determination of the director, such non-resident short-term rental fails to comply with the requirements of this article or any other provision of this Code.
- (b) *Resident short-term rental failure to maintain primary residence.* Any resident-short-term rental registered under this article may be deregistered under this article when, in the determination of the director, the registrant for such short-term rental fails to maintain their primary residence on the parcel where such dwelling unit is located.
- (c) *Notice and appeal of deregistration decision.* Upon determining that any short-term rental is deregistered pursuant to subsections (a) or (b) of this section, the director shall notify in writing the registrant and owner of such short-term rental of such fact and of the basis for deregistration. Such notice shall advise the registrant and owner that they are entitled to appeal the director's decision to deregister the short-term rental, as provided in section 56-805.

**Sec. 56-805. Appeal.**

Any determination made by the City pursuant to this article either not to register or renew a short-term rental, or to deregister a non-resident short-term rental, may be administratively appealed as provided for in this chapter or chapter 48.

**Sec. 56-806. Change in registration information.**

If, during any registration period, there is a change in either ownership, or the identity of the person with authority to serve as the registrant, of a dwelling unit registered pursuant to this article, such registration shall no longer be valid, and before again being offered, provided or operated as a short-term rental in the city, such dwelling unit must be issued a new registration by the director pursuant to section 56-03, only after submitting a new fee and all information required by section 56-803. If, during any registration period, there is a change in the registration information previously submitted on behalf of the dwelling unit pursuant to section

56-803, other than a change in either ownership or the identity of person with authority to serve as the registrant, the registrant, and, if the registrant is not the owner of the dwelling unit, the owner, must within 30 days provide the director written notice of such change upon forms provided by the director, and certify such change pursuant to section 56-803(b)(10). There shall be no penalty for any such registration update if done within 30 days.

**Sec. 56-807. Unlawful acts.**

A properly registered short-term rental pursuant to Chapter 88 of this Code is exempt from, and cannot serve as the basis for, any violation under this section. For purposes of this section, a properly registered short-term rental pursuant to Chapter 88 of this Code is any short-term rental that was registered with the City as short-term rental, and whose annual registration has not expired, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398.

- (a) *Registration violation.* It shall be a violation of this article to fail to timely register, to provide inaccurate registration information required in this article, or to offer, provide or operate as a short-term rental any dwelling unit at any period of time during which such unit is unregistered, deregistered or not in compliance with this article's registration requirements.
- (b) *Failure to maintain primary residence.* For any dwelling unit registered as a resident short-term rental pursuant to Section 56-803(b)(4), it shall be unlawful to offer, provide or operate a short-term rental within such dwelling unit without the registrant maintaining their primary residence on the parcel where such dwelling unit is located.
- (c) *Advertising violation.* It shall be a violation of this article to advertise any dwelling unit for short-term rental that either (1) is not in compliance with this article's registration requirements or (2) does not display on the face of such advertisement the registration number issued by the City pursuant to Section 56-803.
- (d) *Unlawful transactions.* It shall be a violation of this article for any booking service provider to receive payment, directly or indirectly, for a short-term rental located in the city that is not registered pursuant to this article. The provisions of this subsection (d) are entirely strict liability in nature.
- (e) *Records.* It shall be a violation of this article for any person or entity to fail to comply with section 56-808.

**56-808. Records of registrant and booking service provider**

- (a) Each short-term rental registrant shall maintain, and provide to city upon request, the following records for the past year:
  - (1) Total number of nights the short-term rental was rented to a guest; and
  - (2) The dates in which the short-term rental was rented by a guest.
- (b) Each booking service provider shall maintain, and provide to city upon request, the following information for short-term rental transactions facilitated in the city within the past five years:
  - (1) The name of the person who offered the short-term rental;
  - (2) The address of the short-term rental;

- (3) The dates for which the short-term rental was booked by a guest;
  - (4) The price paid by the guest for each short-term rental transaction; and
  - (5) The short-term rental registration number issued by the city pursuant to Section 56-803.
- (c) The department shall maintain and make publicly available a list of all registered short-term rentals within the city.

**56-809. Violations.**

Any person or entity who fails to comply, or causes or permits any condition that fails to comply, with the requirements of this article shall be guilty of an ordinance violation and, upon conviction thereof, shall be punishable as set forth in Section 56-810.

**56-810. Penalties.**

Any person or entity convicted of a violation of this article shall be punished for that violation by a fine of not less than \$200.00, but not more than \$1,000.00, or by imprisonment of not more than 180 days or by both such fine and imprisonment.

**56-811. Subpoenas**

For purposes of enforcement of this article, the city shall have the authority to issue subpoenas to compel the attendance and testimony of witnesses, with or without documentary evidence, and the production of books and documents. It shall be unlawful to refuse to obey a subpoena issued pursuant to this section.

Section 2. That the City Manager is directed, one year after the passage of this ordinance, to analyze the effectiveness of this registration program and report to the City Council on the same.

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Approved as to form:

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Bret Kassen  
Associate City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**230268**